

BOARD OF SELECTMEN

Minutes of the Meeting of 21 June 2006 at 7:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, Michael Kopko and Whitey Willauer. Chairman Willauer called the meeting to order at 8:05 PM following a meeting of the County Commission.

Announcements/Public Comment. None.

Approval of Payroll Warrant for Week Ending 18 June 2006. The Board approved the payroll warrant by unanimous consent. So voted unanimously.

Approval of Treasury Warrant and Pending Contracts for Week Ending 21 June 2006. The Board approved the treasury warrant and pending contracts by unanimous consent.

Public Hearings

1. Public Hearing to Consider Fee Increase for "Hard-To-Handle" Waste Items and to Include Residential/Household Construction and Demolition Waste in the Commercial C & D Rate (continued from June 7, 2006). Chairman Willauer advised the Board of DPW Director Jeff Willett's absence due to a family emergency and noted comments received from Waste Options Nantucket President Whitney Hall. Mr. Bennett moved to continue the public hearing to July 19, 2006. Mr. Glowacki seconded. So voted unanimously.

2. Public Hearing in Connection with Renewal of Cable Television License. Cable Television Advisory Committee Chairman Gene Mahon provided information about the renewal process. A Liberty Street resident commented on "needs of the Town" and the provider requirements to focus on quality and asked for a "most-favored nation" status from the provider and negotiating contract concerns in expectation for cultural options. Gene Mahon, Chairman of the CTAC, addressed the citizen's comments, noting the committee's work in addressing the contract and advising that some items are not in their purview. Discussion followed on negotiation of "terms and conditions." Mr. Mahon noted that this would be a non-exclusive contract and indicated that Verizon is expected to provide competition to Comcast. He advised of the specific requirements of non-renewal. CTAC member Jennifer Erichsen provided additional information about potential uses of the cable and "PEG access" provided and maintained by the cable company. Resident Phil Gallagher recommended working with the Town of Bourne. Christine Silverstein spoke in support of a public access channel. Mike Rosen asked about shorter contract duration. Discussion followed on resources that include Town Counsel, staff and the CTAC as well as the public meetings held by the committee. Chairman Willauer noted his interest in finding out more and continued the public hearing to a later date when the Town Administrator is present.

3. Public Hearing to Review Applications for Committee Vacancies: Advisory Committee of Non-Voting Taxpayers, Beach Management Advisory Committee, Cable Television Advisory Committee, Capital Program Committee, Cemetery Commission Workgroup, Commission on Disability, Energy Study Committee, Park and Recreation Commission, Planning Board, Scholarship Committee, Tree Advisory Committee, and Visitor Services & Information Advisory Committee (for appointments to be made July 26, 2006). The Board reviewed applications from applicants for committee vacancies as advertised in "Phase 2" of the committee appointment process. Applicants present who spoke were Allen Reinhard, Phillip Gallagher, John Wagley,

Jason Flanagan and David Gray. Absent were John Johnson, Penny Snow, Matthew Mulcahy, John West, Sandra Welch, Leslie Johnson (who had advised of a prior commitment) and Paul Longenecker. Chairman Willauer provided information on dates for applications for two new committees: Sewer Advisory and Harbor Plan Review Committees. Chairman Willauer thanked the applicants for their attendance and reviewed the upcoming schedule for appointments to occur on July 26, 2006.

4. Public Hearing to Consider New Application for Entertainment License for The Chanticleer, LLC, Susan E. Handy, Manager, for Premises Located at 9 New Street, Siasconset, Massachusetts. Chairman Willauer opened the public hearing. Attorney Rhoda Weinman spoke on behalf of the applicant, noting the specifics of the application involving no amplification and "only in the grill room" for a piano and/or a guitar player. Sarah Alger spoke in favor of the applicant, adding that she also had represented the buyers of the building. No one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Chadwick moved to approve. Chairman Willauer seconded. So voted unanimously.

5. Public Hearing to Consider New Application for Entertainment License for Fish in the Spread dba Slip 14, Jonas M. Baker, Manager, for Premises Located at 14 Old South Wharf. Chairman Willauer opened the public hearing. Jonas Baker spoke in support of the application for "non-amplified music from 3-7 PM." No one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Bennett moved to approve the application as described to include the time of 3:00 PM to 7:00 PM. Chairman Willauer seconded. Mr. Glowacki suggested that the Board vote specifically on the application language. On the motion to approve the amendment of the time period from "3:00 PM to 6:00 PM" as entered on the application to "3:00 PM to 7:00 PM," Mr. Kopko, Mr. Bennett and Chairman Willauer voted in favor. Mr. Chadwick and Mr. Glowacki voted in opposition. Mr. Bennett moved to approve the entertainment license application for Fish in the Spread dba Slip 14 for non-amplified music from 3:00 PM to 7:00 PM. Mr. Kopko seconded. So voted with Mr. Bennett, Mr. Glowacki, Mr. Kopko and Chairman Willauer voting in favor. Mr. Chadwick voted in opposition.

6. Public Hearing to Consider Transfer of Seasonal All-Alcoholic Beverages Package Store License from Island Spirits, Inc. to Reith Ventures Limited Partnership, Carolyn Reith, Manager, for Premises Situated at 10 Washington Street. Chairman Willauer opened the public hearing. License holder William Reith spoke in support of the application. No one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Bennett moved to approve the transfer as requested. Mr. Kopko seconded. So voted unanimously.

7. Public Hearing to Consider Transfer of Annual All-Alcoholic Beverages Restaurant License from Three Tines, Inc dba West Creek Café, to Blazeworks, LLC dba Pi Pizzeria, Evan D.J. Marley, Manager, for Premises Situated at 11 West Creek Road. Chairman Willauer opened the public hearing. Evan Marley spoke in support of the application. No one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Bennett moved to approve the transfer as presented. Mr. Kopko seconded. So voted unanimously.

Citizen/Departmental Requests

1. Liquor Licensee/21 Federal: Request for Change of Manager from Christopher Canty to M. Robert Sarkisian. Attorney Rick Beaudette spoke on behalf of Robert Sarkisian in support of the request. No one spoke in opposition. Mr. Bennett moved to approve the change of manager request. Mr. Kopko seconded. So voted unanimously.

Town Administrator's Report.

1. Request for Policy Decision on Use of Miacomet Beach for Commercial Enterprise. Chairman Willauer read the request of Kathleen Fee to operate a kayak business at Miacomet Pond. Ms. Fee spoke in support of operating the business "from mid-June to mid-September." Edie Ray, spoke in opposition to the request. Frank Spriggs spoke against "commercializing beaches." Jack Gardner noted the need for a zoning change to allow such a venture. Richard Ray spoke in opposition to the request and asked the Board to consider a policy not to promote commercial ventures at the location. Mr. Chadwick asked for more time to consider the request for a policy decision to be made considering the bigger question as it applies to all the ponds. Chairman Willauer shared statistical information about safety and also provided information about the need for a patrol boat and whether approval had been sought from the Land Bank for any portions of land it owns. Discussion followed on the need for a policy. The Board consented to take the matter under advisement.

Selectmen's Report/Comment

1. Adoption of FY 2008 Budget and 2007 Annual Town Meeting Timeline. Chairman Willauer reviewed the timeline and recommendations from the Finance and School Committees. Discussion followed on changes requested by the Finance Committee. Sue Genthner, School Committee Chair, noted the Committee's review of the timeline at its June 20, 2006 meeting and the unanimous endorsement of the original wording for the multiyear projections and spoke to continuing the efforts of last year in making long-term projections. On the first item in the overall timeline regarding language change, Mr. Bennett moved to approve the original language to use "recommendations" rather than "comments" with regard to a multi-year rate of budgetary growth policy. Mr. Kopko seconded. So voted unanimously. Discussion followed in support of the Finance Committee's recommendation to extend the timeline. Mr. Bennett moved to approve the original language of the timeline. Mr. Glowacki seconded. So voted unanimously. Mr. Kopko moved to accept the original language throughout the document as found in that document when it was initially presented by staff to the Board. Mr. Glowacki seconded. Chairman Willauer noted the third item suggested by the Finance Committee regarding the scheduling of the town meeting and the election. So voted unanimously.

Cliff Road Parking. Mr. Kopko suggested action to re-allow parking on a section of the outbound side of Cliff Road. Police Chief Bill Pittman provided input, noting the safety issue exists, but adding that there was "no objection to rolling the decision back to where it was before." Discussion followed on the need for a public hearing and on the established protocol. Mr. Kopko moved to schedule the public hearing as soon as possible. Mr. Bennett seconded. So voted unanimously.

Mr. Bennett commented about safety concerns at Jetties and Children's Beaches.

Minutes of the Meeting of 21 June 2006 at 7:00 PM
Page IV

The meeting adjourned at 10:08 PM.

Approved the 5th day of July 2006.